



NORTH CAROLINA ARMY RETIREE COUNCIL

Post Office Box 70029 Fort Bragg, North Carolina 28307-5000

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24 March 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Minutes of the North Carolina Army Retiree Council Meeting
19 March 2005.

1. The quarterly meeting of the North Carolina Army Retiree Council (NCARC) was called to order by Co-Chairman SGM(R) Law at 0930 hours, 19 March 2005 at the Ft. Bragg Officers' Club.

MEMBERS PRESENT

COL(R) Don Latella, Co-Chairman
SGM(R) Larry Law, Co-Chairman
COL(R) Rudy Baker
COL(R) Clifford M. Deal (III)
COL(R) Donald A. Doll Jr. (II)
COL(R) William F. Rawley Sr. (VI)
LTC(R) Thomas E. Parsons (VIII)
MAJ(R) Howard Keyes Jr. (I)
CW4(R) James E. Flanders
SGM(R) Frank M. Foronda (VII)
1SG(R) Robert H. Ward (II)
MSG(R) Moses L. Best
SFC(R) Richard A. Clemmons (IV)
SFC(R) William E. Schone (VI)
SSG(R) Frances Crawford (V)
Mr. John Bell - IRSO
() indicates regional area

OTHERS PRESENT

COL Al Aycock, Garrison Commander
COL Vicki Post, Dir Community Activities
Ms. Nan Sanders, Installation AG
Ms. Josie Forney, AFFES Business Mgr

2. Mr. Bell gave the invocation followed by the Pledge of allegiance.

3. SGM(R) Law recognized guests/visitors and reviewed the materials in the packet.

4. COL Aycock reported that, for the third year in a row, Ft. Bragg is the Army's nominee to DoD for the best anti-terrorism and force protection installation out of 181 installations in the world. A recent environmental inspection (last one two years ago) revealed that the post had reduced every negative category findings from the previous inspection, and surpassed the Army Average in the positive category.

The inspection consists of four categories, three negative and one positive (I-Laws and Statues; II-Future Statues; III-Army Regs and DoD Instructions; IV-Positive Findings). In all areas Ft. Bragg bettered the Army average both in fewer negative findings and far more than the Army average in positive findings (the Army average for positive findings is 2 and Ft. Bragg had 13, a new Army record. He covered the Overhills issue and the public hearing regarding what Ft. Bragg plans to do with the Rockefeller property (10,000 acres) that was purchased a few years ago. The Army/Ft. Bragg has not made any final decision(s) pertaining to the usage of the property. Operation Home Coming, sponsored by the National Endowment of the Arts, a program to teach people how to write their memoirs was held here last week. Andrew Carrol, editor and author of the book 'War Letters'; and, Steven Lang, actor/playwright, conducted the seminar which was attended by active duty, family members, retirees. He mentioned that only local law enforcement agencies would be involved with overseeing the anti-war protest in Fayetteville - there will not be any military involved. The Braxton-Bragg Chapter, AUSA will be conducting the Annual Symposium 4 - 6 April. On 7 April the Educators will be here discussing the federal impact aid for local school systems etc. The Airborne Attic (a lending facility for E1 - E4) has been a big success. Young troopers may get appliances and furniture and are requested to return the items after they get themselves settled so that other s can take advantage of the system. Ft. Bragg-Pope Open House is scheduled for May 28th. All American Week starts 23 May - Division Review on Thursday 26th and a JRTX at Sicily DZ on Friday 27th. He was asked if Cumberland County did take over the post school system would that necessarily mean that the school buildings on post would be closed and the children would have to go off post to attend school. He replied that there has been no decisions made, it's strictly in the study stage. Ryder Golf Course will be the first Army Golf Course to become an Audubon Certified Sanctuary golf course. Environmentally this puts Ryder in step with some civilian golf courses such as Pinehurst #8.

5. COL Post reported she had provided copies of MWR activities. She also gave a rundown on Operation Celebration to be conducted on 3rd and 4th of July. Several entertainment personalities along with cheerleaders form either the Dallas Cowboys or the Tamp Bay Buccaneers The Spring Fair the first week of May at the Fairgrounds on Bragg Blvd. It is a county fair type activity with a good time for everyone. Live entertainment every night which will vary from Blues to Rap.

6. Ms. Sanders reported that plans for RAD 2005 are beginning to take shape. She indicted that plans are to try and have activities over an entire week and have RAD apply to a greater audience of retirees. . She asked for input from the Council as to what they might want to be included. She spoke of a recognition program. The two major days for RAD are scheduled for 16 -17 September.

7. Ms. Forney reported on some upcoming plans for PXs on post as well as the remodeling taking place in the food court at the North PX. There have been some changes in what items a retiree may now purchase at the PX Military Clothing Store. A large parking lot tent sale will be taking place at the North PX in the near future. There will be advance flyers announcing the event. The PX is attempting to reach out to retirees within a 50 mile radius. She conducted a drawing for a number of door prizes.

8. Committee Reports:

a. MSG(R) Best gave an update on the renovation at the Burger King. He also reported on the procedure for pre-registering at Sandhills Veterans Cemetery .

b. SGM(R) Law reported that the Council had not heard anything from the Commissary for several months. The concern is that there are still too many soldiers shopping at super markets downtown. Shopping habitually at the Commissary will result in a 28% to 30% savings over a year's time.

9. Other Reports:

Mr. Bell reported that the idea of expand RAD over a period of several days is to help market and expose activities such as MWR facilities to the retirees. Womack has expressed desire that other military retirees be included in RAD. He asked for any ideas/suggestions for RAD. The Golf Tournament, Dinner and activities at Womack will follow the same basic format as in the past. The Army mess kitchen will not be used this year, rather breakfast will be available in the hospital cafeteria dining facility.

10. Regional Reports:

Region I – Western – MAJ(R) Keyes reported that he is still looking for someone to fill the other co-chair position. He stated that he coordinated an awards ceremony for the presentation of the medal that the Corps Commander approved for MAJ(R) Boyd.

Region II – Catawba & Northwest – COL(R) Doll reported the Vice Admiral(R) Ryan presented COL(R) Sweet with the medal approved by the Corps Commander at a MOAA meeting. He stated that he has been working with the local VFW, American Legion and DAV to do a joint venture for Military Appreciation Day on Memorial Day. A Welcome Home ceremony is planned for the return of the local Transportation Company from Boone returning from Iraq.

Region III – Southern Piedmont – COL(R) Deal reported that at their February meeting a couple of veterans showed up in wheel chairs which made it apparent to him that what they were doing in the area is worthwhile. The next meeting is scheduled for May and he anticipates the turn-out will be in the vicinity of 60 to 70. He stated that the County Veterans Service Officer attends the meetings. A question concerning the frequency required for renewal of ID Card for retiree spouses. He was told that there is a plan for those over age 75 will be given an indefinite expiration date – however, these new cards are not yet in the system.

Region IV – Triad – SFC(R) Clemons reported on his personal situation which resulted in TRICARE billing. He had experienced a problem where there was a failure of the health care provider from properly billing TRICARE Prime and he was put into a debt collection position. He had contacted the activities that were referred to on the TRICARE Web page, however, this activity did not handle this particular situation. He was referred to proper office at Seymour Johnson AFB and his problem was solved. COL Aycock asked that he be furnished all the information so that he could in turn get with COL Maul, Womack AMC Commander.

Region V – Cape Fear – SSG(R) Crawford reported that there is a bill in the Senate which proposes that those who were retired with less than 20 years service would be eligible to receive CRSC. She passed out a paper which outlines the geographic distribution of VA expenditures for 2004. She indicated that there are some bills in the Senate that would add money to the VA budget. She reported on her trip to DC with the VFW Legislative Conference. She stated that other veteran service organizations were also represented (DAV, American Legion etc) as well as county managers. She gave the Garrison Commander a notebook that outlines a program called "Unmet Needs". This is a partnership between Beaumont America (BA) and the VFW. BA has obligated \$1.25 mil to the VFW to be used to financially assist military folks in unusual circumstances.

Region VI – Triangle- COL(R) Rawley reported that the USO at RDU is going strong since its opening in November. The fully equipped and furnished lounge operates 24/7. When there is a need for transportation for a military traveler, a call is put out on the airport PA system, and normally some citizen will respond and offer to take the military traveler with them. *COL Aycock commented that there has been some discussion in the local area concerning establishing a USO in the Fayetteville area. The site for such a USO very well could be somewhere other than at the airport since the Fayetteville airport is not a hub as is RDU, therefore, the demand would not be that great there.* COL(R) Rawley stated that support for the USO has come from not only people and businesses in the Raleigh area but from other locations in the state. The USO is located on the second floor in Terminal A.

SFC(R) Schone reported that the USO is able to be 24/7 operation because of the 124 volunteers. He said that originally there were 8 volunteers that got the ball rolling. He reported that he has been negotiating with some auto dealers in the area to try and get a van donated to the USO which would really help in the transportation of troops to Camp Lejeune, Ft. Bragg and Seymour Johnson.

Region VII Southeastern – SGM(R) Foronda reported that apparently the over-due payments for CRSC had been resolved since he had not received any phone calls from retirees asking “where’s my money?” for some time now.

Region VIII – Coastal Plains – LTC(R) Parsons reported that he had a problem getting through both the Union and Confederate lines due to the 140th anniversary of the Battle of Bentonville re-enactment. He surfaced a problem when a veteran/retiree dies on a Friday or Saturday and the burial is scheduled for Monday – unless there is a DD Form 214 for the deceased, Casualty Assistance Office has a problem responding with an appropriate military detail. He emphasized the importance of having DD214 readily available. He recommended that DD214’s be registered with the local ‘Register of Deeds’. This initiated a discussion about the security of registering DD214. It had been reported a few years ago that such documents were being considered as public records and anyone could have access to such documents. In the interest to prevent identity theft those ETSing and retiring were being discouraged from having their discharge papers, DD214s etc. registered. LTC(R) Parsons reported that he had been informed by local Register of Deeds that this was no longer the case. Documents of this nature are now protected. *A copy of the General Statue covering this is attached to the minutes.*

11. Comments from Other Council Members: MSG(R) Best indicated that he brought in a display which depicted portions of Ft. Bragg in some of its earlier days. It was setup in the rear of the room.

NCARC

24 Mar 2005

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12. Co-Chairmen Comments: COL(R) Latella thanked everyone for coming and the efforts they put into support the retirees in North Carolina. SGM(R) Law reported that he had called the Airborne Attic folks to schedule a furniture pick-up at his house and that a couple of troops arrived at exactly the scheduled time. He encouraged others to look around to see if there were some appliances or furniture items that were no longer needed and could be used to donate to the Airborne Attic. He mentioned that LTC(R) Benavitz, former co-chair for Region V was presented the medal that the Corps Commander approved by LTG(R) Bill Thurman at a MOAA function in the Pinehurst area. He reported that COL Post wants to send the MWR web page which lists a number of activities and facilities and is updated weekly to as many people as possible. Some of the email addresses she has for Council members are either incorrect or no longer operational since she receives a message 'non deliverable'. Please send her your correct email address at: postva@bragg.army.mil. After you receive her weekly updates, feel free to forward it to other retirees.

Next meeting is *tentatively scheduled* to be held 11 June 2005.

13. Adjournment: The meeting adjourned at 1115 hours.

Lawrence L. Law

Lawrence L. Law
Sergeant Major, USA Retired
Co-Chairman

Donald Latella

Donald Latella
Colonel, USA Retired
Co-Chairman

DISTRIBUTION:

1 ea Council Member
Cdr, XVIII Abn Corps & Ft. Bragg
Cdr, USA FORSCOM
HQDA, DAPE-RSO

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 47-113.1 is repealed.

SECTION 2. Chapter 47 of the General Statutes is amended by adding a new section to read:

§ 47-113.2. Restricting access to military discharge documents.

(a) All military discharge documents filed on or after January 1, 2004, shall be considered a public record, but for confidential safekeeping and restricted access to such documents, these documents will be filed with the registers of deeds in this State. These documents are exempt from public inspection and access except as allowed in subsection (b) of this section.

(b) Definitions:

(1) Authorized party. – Four categories of authorized parties are recognized with respect to access to military discharge documents under subsection (d) of this section:

a. The subject of the document.

b. Agents and representatives of the subject authorized in writing:

1. By the subject or subject's widow or widower in a notarized authorization,

2. By a court to represent subject, or

3. By the subject's executor acting on behalf of a deceased subject.

c. Authorized agents of the Division of Veterans Affairs, the United States Department of Veterans Affairs, the Department of Defense, or a court official with an interest in assisting the subject or the deceased subject's beneficiaries to obtain a benefit.

d. Agents or representatives of the North Carolina State Archives.

(2) Filing office. – The office where military discharge documents are recorded, registered, or filed in this State is the register of deeds.

(3) Military discharge document. – Any document that purports to represent a notice of separation from or service in any armed forces of the United States or of any state, including, but not limited to, Department of Defense Form 214 or 215, WD AGO 53, WD AGO 55, WD AGO 53-55, NAVMC 78-PD, and NAVPERS 553, or any other letter relating to the separation from the armed forces.

(c) A military discharge document shall be accepted for filing upon presentation in person.

(d) The filing officer may refuse to accept any document that is:

(1) Not submitted in person by an authorized party in accordance with subsection (b) of this section.

(2) Not an original, a carbon copy, or a photographic copy issued or certified by an agency of federal or State government.

(e) No copy of a military discharge document or any other information from such document filed after the effective date of this section shall be made available other than in accordance with subsection (b) or (h) of this section.

(f) Certified copies of a military discharge document will be made available only in accordance with subsection (e) of this section and only by individual request.

(g) Uncertified copies of a military discharge document will be made available to an authorized party in accordance with subsection (b) of this section and only by individual request.

(h) The North Carolina Association of Registers of Deeds and the Division of Veterans Affairs shall adopt before January 1, 2004, such request forms and associated rules as are required to implement the provisions of this section. All filing offices shall use the forms and comply with the rules, as adopted.

(i) Completed request forms shall be maintained in the register of deeds for a period of one year.

(j) The request forms shall not be considered public records and are subject to the same restricted access as the military discharge document.

(k) In the event images of and the index to military discharge documents filed prior to January 1, 2004, have not been commingled with other publicly available document images and their index in a filing office, the images and the index will be maintained and are subject to all the provisions of this section that apply to newly filed documents.

(l) The register of deeds shall, to the greatest extent possible, take appropriate protective actions in accordance with any limitations determined necessary by the register of deeds with regard to records that were filed before the effective date of this section.

(m) Subsection (d) of this section shall not apply to images of military discharge documents that have been on file for over 50 years.

(n) There shall be no fee charged for filing military discharge documents or for providing certified copies of military discharge documents provided to those who have a right to access under subsection (d) of this section. Uncertified copy of a military discharge document that becomes public record under subsection (h) of this section is subject to fee as determined in G.S. 161-10(a)(11).

(o) Filing offices shall be responsible for the cost of compliance with this section.

(p) Recording officials shall not be liable for any damages that may result from good faith compliance with the provisions of this section.

(q) The words "register of deeds" appearing in this section shall be interpreted to mean "register of deeds, assistant register of deeds, or deputy register of deeds". (2003-248, s. 2.)